RECEIVED CLERK

FILED Carron Court

APR 29 2003

30 APR 03 PM 1: 36

U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

	Denil ()	CLERK		
CALDERA SYSTEMS, INC	*	CASE NO	2:03CV294 24	∓€
Plaintiff	*			
	*	Appearing or	n behalf of:	
v.	*			
	*		RA SYSTEMS,	INC.
INTERNATIONAL BUSINE	SS MACHINES COR	P. (Plair	ntiff/Defendant)	
Defendant.	*			
MOTION AND C	ONSENT OF DESIGNA	TED ASSOCI	ATE LOCAL CO	DUNSEL
this Court. I hereby agree to serve as and the Court regarding the conduct authority to act for and on behalf of the should Petitioner fail to respond to a Date: 1, 2003	et of this case; and to accept the client in all case-related p any Court order.	he subject case; to papers when serv roceedings, include the punsel)	readily communicated and recognize making hearings, pretriated by the second se	e with opposing counsel y responsibility and full l conferences, and trials,
gmenien				
Petitioner, STEPHEN the subject case. Petitioner states unde of a state or the District of Columbia; admission to the Utah State Bar and v associated local counsel in this case. I of admission are provided as require	er penalty of perjury that he/s is (i) X a non-resident of the will take the bar examination Petitioner's address, office te	he is a member in he State of Utah or at the next schedu	good standing of the r, (ii) a new residuled date; and, under	lent who has applied for DUCivR 83-1.1(d), has
Petitioner designatesMA	ARK F. JAMES		as associate local	counsel.
1				
Date: 4/21/, 2	0 / 3 Chec	k here if pe	etitioner is lead couns	sel.
		(Signature of F	Petitioner)	
Name of Petitioner: STEPHE	EN N. ZACK : Of	fice Telephone:	(305) 539-84	00
Name of Feditioner.	M IV. ZHOK OII	nce refeptione.	(Area Code and Main	
			`	,
Business Address: Boies, S	chiller & Flexner LI	<u>.P</u>		
100 S.E.	(Firm/Business Name) 2nd Street, Ste. 2	800, Miami,	Floride	33131
100 5. E.	Street	City	State	Zip
		,	2-10-12	- F

14

BAR ADMISSION HISTORY

COURTS TO WHICH ADMITTED	LOCATION	DATE OF ADMISSION
U.S. Court of Appeals	ė	1986
Fifth Circuit		1986
Eleventh Circuit		1986
U.S. District Court, Southern & Nor	rthern Florida	1986
New York		1982
Florida		1972
(If additional s	space is needed, attach separate sheet.)	

PRIOR PRO HAC VICE ADMISSIONS IN THIS DISTRICT

CASE TITLE	CASE NUMBER	DATE OF ADMISSION
	**************************************	WAPPA- 1-18- Su
packagement and comment of the control of the contr		

ORDER OF ADMISSION

(If additional space is needed, attach a separate sheet.)

It appearing to the Court that Petitioner meets the pro hac vice admission requirements of DUCiv R 83-1.1(d), the motion for Petitioner's admission pro hac vice in the United States District Court, District of Utah in the subject case is GRANTED.

This 30th day of April, 2003.

U.S. District Judge





JOHN F. HARKNESS, JR. EXECUTIVE DIRECTOR

650 Apalachee Parkway
Tallahassee, Florida 32399-2300

850/561-5600 www.FLABAR.org

State of Florida)
County of Leon)

In Re: 145215

Stephen Neal Zack

Nations Bank Tower, Ste. 2800

100 S.E. 2nd St. Miami, Florida

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on May 03, 1972.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 12 day of March, 2003.

Willie Mae Shepherd

Supervisor, Membership Records

The Florida Bar

WMS/dsw10:R10

I hereby certify that I caused a true and correct copy of the foregoing to be mailed by U.S. mail, first class postage prepaid, this 24 day of April, 2003, addressed to the following:

Alan L. Sullivan Todd M. Shaughnessy SNELL & WILMER 15 West South Temple, Ste. #1200 Salt Lake City, Utah 84101

Howard

FILED IN UNITED STATES DISTRICT COURT, DISTRICT OF UTAH

RECEIVED CLERK

APR 3 0 2003

MARKUS B. ZIMMER, CLERK BY DEPUTY CLERK

APR 20 203

U.S. DICTRICT COURT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CALDERA SYSTE	MS, INC.	*	CASE NO.	2:03CV294 P	GC
Plaintiff		*			
		*	Appearing on	behalf of:	
	v.	*	CALDERA	SYSTEMS,	INC
	DUGINEGO MAGIINE	e compo			INC
	BUSINESS MACHINE	<u>5</u> CORP	. (Plain	tiff/ Referrelary)	
Defend	iant.	·			
MOTION	N AND CONSENT OF D	ESIGNA'	TED ASSOCIA	ATE LOCAL (COUNSEL
this Court. I hereby agree and the Court regarding authority to act for and on	to serve as designated local co the conduct of this case; and a behalf of the client in all case espond to any Court order , 2003 (Signature of	unsel for the to accept perelated pro f Logal Cou	e subject case; to papers when serve occeedings, include unsel)	readily communiced and recognize ing hearings, preto 5295 (Utah Bar Nun	my responsibility and full rial conferences, and trials,
	APPLICATION FO)K/ADM1	SSION PRO F	AC VICE	
the subject case. Petitione of a state or the District of admission to the Utah State	ARK J. HEISE or states under penalty of perjur Columbia; is (i) X a non-rest te Bar and will take the bar ex this case. Petitioner's address d as required.	y that he/she sident of the amination a	e is a member in State of Utah or at the next schedu	good standing of to , (ii) a new re led date; and, und	sident who has applied for ler DUCivR 83-1.1(d), has
Petitioner design	nates MARK F. JAME	ES		as associate lo	cal counsel.
Date: 4pr. / 72	, 20 03 .	Check	here X if per	titioner is lead cou	unsel.
·		M	(Signature of P	etifioner)	2
Name of Petitioner:	MARK J. HEISE	Offi	ce Telephone:	(305) 539 (Area Code and Ma	9-8400 ain Office Number)
Business Address:	Boies, Schiller & Fl	exner Ll	LP		
Dustiless Address.	(Firm/Busines 100 S.E. 2nd Street	s Name)	· -	Fl	33131
	Street		City	State	Zip

BAR ADMISSION HISTORY

COURTS TO WHICH ADMITTED	LOCATION	DATE OF ADMISSION
U.S. Supreme Court		1992
Eleventh Circuit Court of Appea	ls	1990
Ninth Circuit Court of Appeals		1992
U.S. District Courts	Southern, Middle Dist. of Fla.	1990
U.S. District Court	Eastern District of Michigan	1999
United States Court of Federal C	Claims	1990
Florida		1988
(If	additional space is needed, attach separate sheet.)	

PRIOR PRO HAC VICE ADMISSIONS IN THIS DISTRICT

CASE TITLE	CASE NUMBER	DATE OF ADMISSION
	3.00.00.00.00.00.00.00.00.00.00.00.00.00	

(If additional space is needed, attach a separate sheet.)

ORDER OF ADMISSION

It appearing to the Court that Petitioner meets the pro hac vice admission requirements of DUCiv R 83-1.1(d), the motion for Petitioner's admission pro hac vice in the United States District Court, District of Utah in the subject case is GRANTED.

This $30^{\frac{1}{h}}$ day of Apr_{1} , 2003.

U.S. District Judge

FEE PAID



JOHN F. HARKNESS, JR. EXECUTIVE DIRECTOR

650 Apalachee Parkway Tallahassee, Florida 32399-2300

850/561-5600 www.FLABAR.org

State of Florida)		
County of Leon)		

In Re: 771090

Mark Jurgen Heise

Boise, Schiller and Flexner, LLP

100 S.E. 2nd St., Ste. 2800

Miami, Florida

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on September 30, 1988.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this x day of March, 2003.

Willie Mae Shepherd

Supervisor, Membership Records

The Florida Bar

WMS/dsw10:R10

I hereby certify that I caused a true and correct copy of the foregoing to be mailed by U.S. mail, first class postage prepaid, this _____ day of April, 2003, addressed to the following:

Alan L. Sullivan Todd M. Shaughnessy SNELL & WILMER 15 West South Temple, Ste. #1200 Salt Lake City, Utah 84101

HOESnik

FILED IN UNITED STATES DISTRICT COURT, DISTRICT OF UTAH

APR

APR 3 0 2003

U.S. DICTRICT COURT

CLEST

5 Ø 166

MARKUS B. ZIMMER, CLERK BY____

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CALDERA SYSTEM		* (CASE NO	2:03CV294 PG	C
Plaintiff	•	* /	Appearing on	behalf of:	
	V.	*	ippearing on		
	•.	*	CALDER.	A SYSTEMS,	INC.
INTERNATIONAL	BUSINESS MACHINES C	ORP.		tiff/Defendant)	
Defend	ant.	*	·	·	
MOTION	N AND CONSENT OF DESI	GNATE	D ASSOCIA	TE LOCAL CO	DUNSEL
and the Court regarding authority to act for and on	to serve as designated local counsel the conduct of this case; and to ac behalf of the client in all case-rela- respond to any Court order.	for the succept pap ted proce	abject case; to reers when served edings, including left)	readily communicated and recognize ming hearings, pretriated 5295 (Utah Bar Numb	responsibility and full al conferences, and trials,
the subject case. Petitione of a state or the District of admission to the Utah Stat	r states under penalty of perjury that Columbia; is (i) X a non-resident to Bar and will take the bar examinathis case. Petitioner's address, offid as required.	he/she is of the St ation at the	a member in gate of Utah or, ne next schedul	good standing of the (ii) a new resided date; and, under	e bar of the highest court dent who has applied for DUCivR 83-1.1(d), has
Petitioner design	nates MARK F. JAMES			_ as associate loca	l counsel.
Date: April 22	, 20 <u>23</u> .	Check he	re if pet	itioner is lead coun	sel.
		V	Signature of Po	etitioner)	
Name of Petitioner:	DEBRA WEISS GOODST	-	Telephone:	(305) 539	9-8400
				(Area Code and Mair	Office Number)
Business Address:	Boies, Schiller & Flexno	er LLP			
	(Firm/Business Nam 100 S.E. 2nd Street, S		0, Miami,	Florida	33131
	Street		City	State	Zip

BAR ADMISSION HISTORY

COURTS TO WHICH ADMITTED	LOCATION	DATE OF ADMISSION
U.S. District Court, Southern D	district of Florida	1980
U.S. Supreme Court		1981
U.S. Court of Appeals		1981
Fifth Circuit		
Eleventh Circuit		
Florida		1977
New York		1986
(If addi	itional space is needed, attach separate sheet.)
PRIOR PRO HAC	VICE ADMISSIONS IN T	HIS DISTRICT
CASE TITLE CA	ASE NUMBER	DATE OF ADMISSION

(If additional space is needed, attach a separate sheet.)

ORDER OF ADMISSION

It appearing to the Court that Petitioner meets the pro hac vice admission requirements of DUCiv R 83-1.1(d), the motion for Petitioner's admission pro hac vice in the United States District Court, District of Utah in the subject case is GRANTED.

This 30 th day of April, 2003.

U.S. District Judge

FEE PAID



JOHN F. HARKNESS, JR. EXECUTIVE DIRECTOR

650 Apalachee Parkway Tallahassee, Florida 32399-2300

850/561-5600 www.FLABAR.org

State of Florida)
County of Leon)

In Re: 231843

Debra Weiss Goodstone Boies Schiller & Flexner, LLP 100 S.E. 2nd St., Ste. 2800

Miami, Florida

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on May 31, 1977.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 2 day of March, 2003.

Willie Mae Shepherd

Supervisor, Membership Records

The Florida Bar

WMS/dsw10:R10

I hereby certify that I caused a true and correct copy of the foregoing to be mailed by U.S. mail, first class postage prepaid, this _____ day of April, 2003, addressed to the following:

Alan L. Sullivan Todd M. Shaughnessy SNELL & WILMER 15 West South Temple, Ste. #1200 Salt Lake City, Utah 84101

HOGEN

PILED IN UNITED TATES CICTRICT

RECEIVED CLERK

APR 2 2003

U.S. DICTRICT COURT

APR 30 2003 MARKUS B. ZIMMER, CLERK

BUNFEED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CALDERA SYSTEMS, INC.	* * CASE NO. 2	:03CV294 PGC
Plaintiff	*	.0300274
	* Appearing on	behalf of:
v.	*	
	* CALDERA S	YSTEMS, INC.
INTERNATIONAL BUSINESS MACHINES CORP.	`	tiff#Detextanty
Defendant.	*	
MOTION AND CONSENT OF DESIG	NATED ASSOCIA	ATE LOCAL COUNSEL
I, Mark F. James practice in this Court. I hereby agree to serve as designate with opposing counsel and the Court regarding the conduct my responsibility and full authority to act for and on behalthearings, pretrial conferences, and trials, should Petitioner	t of this case; and to a	accept papers when served and recognize ase-related proceedings, including
Date: April 28, 2003 Mark 2 (Signature of Loc APPLICATION FOR A	al Counsel) DMISSION PRO F	5295 (Utah Bar Number) IAC VICE
Petitioner, David Boies vice in the subject case. Petitioner states under penalty of the highest court of a state or the District of Columbia; is (resident who has applied for admission to the Utah State E date; and, under DUCivR 83-1.1(d), has associated local c courts to which admitted, and the respective dates of admi	perjury that he/she is (i) \times a non-resident bar and will take the bounsel in this case. P	of the State of Utah or, (ii) a new ar examination at the next scheduled etitioner's address, office telephone, the
Petitioner designates Mark F. James		as associate local counsel.
Date: Apr. 122 , 2003.	theck here if pe	titioner is lead counsel.
_	David /20	the state of the s
	(Signature of P	etitioner)
Name of Petitioner: DAVID BOIES	Office Telephone:	(914) 749-8200
· · · · · · · · · · · · · · · · · · ·	omic rempirement.	(Area Code and Main Office Number)
Business Address: Boies, Schiller & Fle	exner LLP	
(Firm/Business Name		
333 Main Street	Armonk	New York 10504
Street	City	State Zip

	BAR ADMISSION HISTORY	, -
OURTS TO WHICH ADMITTED	LOCATION	DATE OF ADMISSION
(Se	ee Attached List)	
·	(If additional space is needed, attach separate shee	et.)
PRIOR PRO I	HAC VICE ADMISSIONS IN T	HIS DISTRICT
SE TITLE	CASE NUMBER	DATE OF ADMISSION
(If additional space is needed, attach a separate she	eet.)

ORDER OF ADMISSION

It appearing to the Court that Petitioner meets the pro hac vice admission requirements of DUCiv R 83-1.1(d), the motion for Petitioner's admission pro hac vice in the United States District Court, District of Utah in the subject case is GRANTED.

This 30th day of April, 2003.

U.S. District Judge

FEE PAID

Name of Court	Date of Admission
State of New York	1967
United States District Court, Southern District of New York	1991
United States District Court, Eastern District of New York	1981
United States Court of Appeals, Second Circuit	1967
United States Court of Appeals, Third Circuit	1995
United States Court of Appeals, Fourth Circuit	2001
United States Court of Appeals, Fifth Circuit	1984
United States Court of Appeals, Seventh Circuit	2002
United States Court of Appeals, Ninth Circuit	1972
United States Court of Appeals, Tenth Circuit	1973
United States Court of Appeals, Eleventh Circuit	2002
United States Court of Appeals, Federal Circuit	2001
United States Court of Appeals, District Of Columbia Ct.	1985
United States Supreme Court	1974
United States District Court, District Court of Colorado	2000
United States Court of International Trade	1982

AO 136 (Rev. 9/98) Certificate of Good Standing

UNITED STATES DISTRICT COURT

South	ERN	DISTRICT OF		New York
			_	IFICATE OF STANDING
I, J. Mie	chael McMal	hon, Clerk of t	his Court,	certify that
I	DAVID BOIE	ES	, Bar#	DB4399 ,
SE.	PTEMBER 6, I DATE	ed to praction 1991 297 2012 2015 2016 2016 2016 2016 2016 2016 2016 2016	, and is i	in good standing
Dated at		ns, New York ATION	on M	MARCH 12, 2003 .
		Cyle PAT	ichael McMa ERK OF COU FICK MORA PUTY CLERK	m Stan

I hereby certify that I caused a true and correct copy of the foregoing to be mailed by U.S.

mail, first class postage prepaid, this 24 day of April, 2003, addressed to the following:

Alan L. Sullivan Todd M. Shaughnessy SNELL & WILMER 15 West South Temple, Ste. #1200 Salt Lake City, Utah 84101

Hoernije

asp

United States District Court for the District of Utah May 2, 2003

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

Brent O. Hatch, Esq. HATCH JAMES & DODGE 10 W BROADWAY STE 400 SALT LAKE CITY, UT 84101 JFAX 9,3636666

Fred O. Goldberg, Esq. BERGER SINGERMAN 200 S BISCAYNE BLVD STE 1000 MIAMI, FL 33131

Mark J. Heise, Esq. BOIES SCHILLER & FLEXNER 100 S.E. 2ND ST STE 2800 MIAMI, FL 33131

Stephen Neal Zack, Esq. BOIES SCHILLER & FLEXNER 100 S.E. 2ND ST STE 2800 MIAMI, FL 33131

Debra Weiss Goodstone, Esq. BOIES SCHILLER & FLEXNER 100 S.E. 2ND ST STE 2800 MIAMI, FL 33131

David Boies, Esq. BOIES SCHILLER & FLEXNER 100 S.E. 2ND ST STE 2800 MIAMI, FL 33131

Mr. Alan L Sullivan, Esq. SNELL & WILMER LLP 15 W SOUTH TEMPLE STE 1200 GATEWAY TOWER W SALT LAKE CITY, UT 84101 EMAIL

Evan R. Chesler, Esq. CRAVATH SWAINE & MOORE

825 EIGHTH AVE NEW YORK, NY 10019